

3764 #7



ATTORNEY'S DOCKET NO. P00547/70061 PCL

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: R. Rox Anderson et al.  
Serial No: 10/033,302  
Confirmation No.: 8214  
Filed: December 27, 2001  
For: METHOD AND APPARATUS FOR EMR TREATMENT

Examiner: Not yet assigned  
Art Unit: 3764

COMMISSIONER FOR PATENTS  
WASHINGTON, D.C. 20231

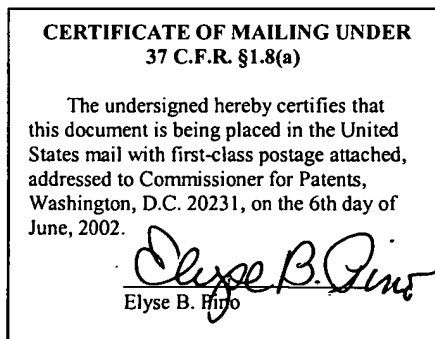
Sir:

Transmitted herewith is/are the following document(s):

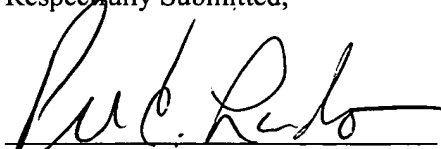
- ☒ Information Disclosure Statement
- ☒ Form PTO-1449 and References
- ☒ Return Receipt Postcard

If the enclosed papers are considered incomplete, the Mail Room and/or the Application Branch is respectfully requested to contact the undersigned at (617) 720-3500, Boston, Massachusetts.

There is no fee believed payable in this matter. If the fee is insufficient, the balance may be charged to the account of the undersigned, Deposit Account No. 23/2825. A duplicate of this sheet is enclosed.



Respectfully Submitted,

  
Peter C. Lando, Reg. No. 34,654  
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Docket No. P00547/70061 PCL  
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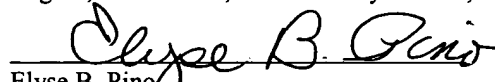
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**CERTIFICATE OF MAILING UNDER 37 C.F.R. §1.8(a)**

The undersigned hereby certifies that this document is being placed in the United States mail with first-class postage attached, addressed to Commissioner for Patents, Washington, D.C. 20231, on the 6<sup>th</sup> day of June, 2002.

  
Elyse B. Pino

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Commissioner for Patents  
Washington, D.C. 20231

**STATEMENT FILED PURSUANT TO THE DUTY OF  
DISCLOSURE UNDER 37 CFR §§1.56, 1.97 AND 1.98**

Sir:

Pursuant to the duty of disclosure under 37 C.F.R. §§1.56, 1.97 and 1.98, the Applicant requests consideration of this Information Disclosure Statement.

**Compliance with 37 C.F.R. §1.97**

This Information Disclosure Statement has been filed before the mailing date of a first Office Action on the merits in the above-identified case.

No fee or certification is required.

**Information Cited**

A. The Applicant hereby makes of record in the above-identified application the information listed on the attached form PTO-1449 (modified). The order of presentation of the references should not be construed as an indication of the importance of the references.

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B. The Applicant hereby makes the following additional information of record in the above-identified application.

The applicant would like to bring to the Examiner's attention the following co-pending applications that may contain subject matter related to this application:

<u>Serial No.</u>	<u>Filing Date</u>	<u>Inventor(s)</u>	<u>Title of Application</u>
09/268,433	March 12, 1999	Altshuler	System for Electromagnetic Radiation Dermatology and Head for the Use Therewith
09/473,910	December 28, 1999	Altshuler, Zenzie	Light Energy Delivery Head
09/634,981	August 9, 2000	Altshuler, Anderson	Heads for Dermatology Treatment
09/769,960	January 25, 2001	Anderson, Manstein Battle, Altshuler, Smotrich, Zenzie, Smirnov	Method and Apparatus for Medical Treatment Utilizing Long Duration Electromagnetic Radiation
10/052,474	January 18, 2002	Altshuler et al.	Light Energy Delivery Head
09/277,307	March 26, 1999	Altshuler, Anderson Manstein	Method and Apparatus for the Selective Targeting of Lipid-Rich Tissues

Explanation of Non-English Language References and Remarks Concerning Other Information Cited

The following is a concise explanation of the relevance of each non-English language reference listed on the attached form PTO-1449 (modified):

AT 400 305 B generally relates to a device for treatment of skin zones.

DE 3837248 A1 generally relates to a device for the treatment of skin changes.

FR 2591902 generally relates to an apparatus for external laser therapy.

RU4954402 generally relates to a reflexotherapy device. An English Abstract is enclosed.

RU94012665 generally relates to a method of treatment of tooth hard tissues by laser radiation and device for its realization. An English Abstract is enclosed.

RU94040344 generally relates to a method of treatment of tooth hard tissues by laser radiation and device for its realization. An English Abstract is enclosed.

RU95102749 generally relates to an apparatus for laser treatment of biological tissues. An English Abstract is enclosed.

RU95105406 generally relates to a tip piece of laser system for treating biological tissue. An English Abstract is enclosed.

WO 96/25979 generally relates to devices for use in the laser treatment of biological tissue and variants thereof. An English Abstract is enclosed.

WO 01/42671 A1 generally relates to a guide rail for a linear bearing. An English Abstract is enclosed.

Remarks

Documents cited on the attached form PTO-1449 (modified) are enclosed unless otherwise indicated on the attached form PTO-1449 (modified). It is respectfully requested that:

1. The Examiner consider completely the cited information, along with any other information, in reaching a determination concerning the patentability of the present claims;
2. The enclosed form PTO-1449 be signed by the Examiner to evidence that the cited information has been fully considered by the Patent and Trademark Office during the examination of this application;
3. The citations for the information be printed on any patent which issues from this application.

By submitting this Information Disclosure Statement, the Applicant makes no representation that a search has been performed, of the extent of any search performed, or that more relevant information does not exist.

By submitting this Information Disclosure Statement, the Applicant makes no representation that the information cited in the Statement is, or is considered to be, material to patentability as defined in 37 C.F.R. §1.56(b).

By submitting this Information Disclosure Statement, the Applicant makes no representation that the information cited in the Statement is, or is considered to be, in fact, prior art as defined by 35 U.S.C. §102.

Notwithstanding any statements by the Applicant, the Examiner is urged to form his own conclusion regarding the relevance of the cited information.

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An early and favorable action is hereby requested.

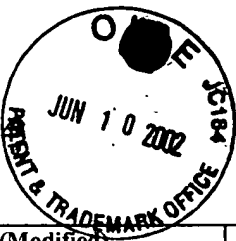
Respectfully submitted,  
***R. Rox Anderson et al., Applicants***

By: 

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Docket No. P00547/70061 PCL/TC  
Dated: 6/06/02

Serial No.: 10/033,302  
Confirmation No.: 821



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FORM PTO-1449/A and B (Modified)				APPLICATION NO.: 10/033,302		ATTY. DOCKET NO.: P00547/70061 PCL/TC	
<b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b>				FILING DATE: December 27, 2001			
				APPLICANT: R. Rox Anderson et al.			
				GROUP ART UNIT: 3764		EXAMINER: Not yet assigned	
Sheet		of					

**U.S. PATENT DOCUMENTS**

Examiner's Initials#	Cite No.	U.S. Patent Document		Name of Patentee or Applicant of Cited Document	Date of Publication or of issue of Cited Document MM-DD-YYYY
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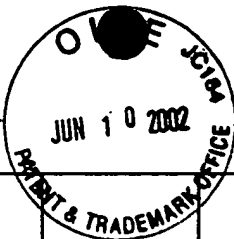
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		6,027,495	A	Miller	02/22/2000
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Examiner's Initials#	Cite No.	Foreign Patent Document			Name of Patentee or Applicant of Cited Document (not necessary)	Date of Publication of Cited Document MM-DD- YYYY	Translation (Y/N)
		Office/ Country	Number	Kind Code			
		AT	400 305 B		Divida GES.M.B.H.	15.04.1995	N
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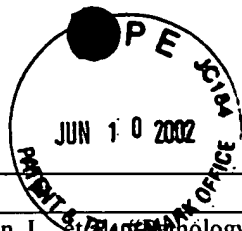
Art Unit: 3764

		WO	01/42671 A1	Ina Wälzlager Schaeffler OHG	14.06.2001	N
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**OTHER ART — NON PATENT LITERATURE DOCUMENTS**

Examiner's Initials#	Cite No	Include name of the author (in CAPITAL LETTERS) title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, relevant page(s), volume-issue number(s), publisher, city and/or country where published.	Translation (Y/N)
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		Altshuler, G. B., et al., "Extended Theory of Selective Photothermolysis," <i>Lasers in Surgery and Medicine</i> , 29: 416-432 (2001).	
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		Goldman, L., et al., "Effect of the Laser Beam on the Skin III. Exposure of Cytological Preparations," <i>The Journal of Investigative Dermatology</i> , 42:247-251, 1964.	
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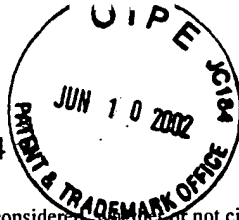


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\*a copy of this reference is not provided as it was previously cited by or submitted to the office in a prior application, Serial No. \_\_\_\_\_, filed \_\_\_\_\_, and relied upon for an earlier filing date under 35 U.S.C. 120 (continuation, continuation-in-part, and divisional applications).

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